



California Regional Water Quality Control Board
Central Valley Region
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3 January 2012

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**NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE
DISCHARGE REQUIREMENTS ORDER R5-2008-0082; MARSH LANDING
GENERATING STATION PROJECT, CONTRA COSTA COUNTY**

Our office received a completed Report of Waste Discharge application on 24 October 2011 from Kiewit Power Constructors Company on behalf of GenOn Marsh Landing, LLC (Dischargers) for the Marsh Landing Generating Station (MLGS) Project, a 930 megawatts natural gas-fired combined cycle power plant. Based on the application packet and subsequent information submitted by the Dischargers, we have determined that the project conditionally meets the requirements for approval under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). This project is hereby assigned Limited Threat General Order R5-2008-0082-022 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference the unique Order R5-2008-0082-022 in all future in correspondence and documents.

The Limited Threat General Order (enclosed) may also be viewed at the following web address:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0082.pdf. You are urged to familiarize yourself with the contents of the entire document. The Limited Threat General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Limited Threat General Order, and with the information submitted by the Dischargers.

CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING
The Limited Threat General Order incorporates the requirements of the California Toxic Rule (CTR) and the State Water Resources Control Board's (State Water Board) *Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP).

California Environmental Protection Agency

Screening levels for CTR constituents are found in Attachment B of the Limited Threat General Order. Review of the submitted water quality data in comparison to the CTR screening values, showed reasonable potential to impact the receiving water. Therefore, final effluent limitations including additional monitoring requirements for arsenic, chromium (VI), Bis (2-Ethylhexyl) Phthalate, beta-BHC, Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(k)Fluoranthene, Chrysene, Dibenzo(a,h)Anthracene, 3,3-Dichlorobenzidine, 2,6-Dinitrotoluene and Indeno(1,2,3-cd) Pyrene are contained in the waste discharge requirements section of this NOA.

PROJECT DESCRIPTION

The Dischargers propose to discharge treated groundwater associated with the construction of the MLGS Project. The MLGS Project is on an existing 42-acre industrial site with known historical groundwater pollution. Additionally, adjacent to the eastside of the MLGS Project site, the Former Gaylord Container Corporation Facility also contains a known contaminated groundwater plume. The MLGS Project site is located north of Wilbur Avenue, one mile northeast of the City of Antioch, and south of the San Joaquin River, of which approximately 30 acres will be disturbed.

The MLGS Project will take approximately 27 months to construct. During this period, groundwater dewatering activities are expected to be intermittent, and will be completed within ten months. There will be four areas where trenching activities will occur between four to twelve weeks, to install new pipelines. There are no proposed groundwater extraction wells.

The MLGS Project site contains an active treatment system (ATS). The ATS is a batch system that consist of four 18,000 gallon storage tanks, a 200 gallon per minute sand filter, four organo clay media vessels and four E33 Bay Oxide media vessels. Following polymer injection, the influent water will be pumped into two settling tanks, gravity fed into a third tank, and pumped through the sand filter to a fourth tank. The groundwater will be further treated through the first organo-clay media then through the second E33 Bay Oxide media prior to discharge. The maximum discharge projected is 0.288 million gallons per day and 2.02 million gallons per week. The total storage capacity is 0.216 million gallons.

Local municipal potable water will be used for the hydrostatic testing of the pipeline and tanks.

WASTE DISCHARGE REQUIREMENTS

The Discharger must comply with the following sections contained in the Limited Threat General Order, and the additional requirements specified below:

IV. Discharge Prohibitions (p. 13)

V. Effluent Limitations And Discharge Specifications:

A.1. Priority Pollutants. The Discharger shall maintain compliance with the effluent limitations below, with compliance measured as described in the Monitoring and Reporting Program contained in this NOA.

Final Effluent Limitations Table

| Parameter | Units | Effluent Limitations | |
|------------------------------|-------|----------------------|---------------|
| | | Average Monthly | Maximum Daily |
| Arsenic, Total Recoverable | µg/L | 10 | 20 |
| Chromium (VI) | µg/L | 8 | 16 |
| Bis (2-Ethylhexyl) Phthalate | µg/L | 1.8 | 3.6 |
| Beta-BHC | µg/L | 0.014 | 0.028 |
| Benzo(a)Anthracene | µg/L | 0.0044 | 0.0088 |
| Benzo(a)Pyrene | µg/L | 0.0044 | 0.0088 |
| Benzo(k)Fluoranthene | µg/L | 0.0044 | 0.0088 |
| Chrysene | µg/L | 0.0044 | 0.0088 |
| Dibenzo(a,h)Anthracene | µg/L | 0.0044 | 0.0088 |
| 3,3-Dichlorobenzidine | µg/L | 0.04 | 0.08 |
| 2,6-Dinitrotoluene | µg/L | 0.05 | 0.10 |
| Indeno(1,2,3-cd) Pyrene | µg/L | 0.0044 | 0.0088 |

A.2. Acute Whole Effluent Toxicity (p. 16)

A.3.b Salinity (pp. 16 - 17)

VI. Receiving Water Limitations (pp. 19 – 22)

VII. Provisions (pp. 23 - 30)

A.2.k The Discharger is required by the General Order to submit technical reports as directed by the Executive Officer. Here, the Executive Officer finds that the groundwater pollution that is in close proximity to the construction merits close monitoring to ensure that the Discharger remains eligible for coverage under the General Order. Therefore, by **17 January 2012**, two groundwater monitoring wells (a shallow and a deeper well) shall be installed at the GenOn facility near the western property line, near the location of the former GenOn well designated well WS-5. These wells, and the influent to the treatment plant, shall be sampled on a weekly basis during dewatering activities and the wells shall be sampled monthly during non-dewatering activities. The wells shall be measured for depth to groundwater and sampled in accordance with standard Environmental Protection Agency (EPA) protocol. All samples shall be analyzed by field measuring devices for pH, conductivity, dissolved oxygen and shall be analyzed in a certified laboratory for total and dissolved metals, hexavalent chromium and total dissolved solids (using EPA Methods 200.7, 200.8, 7196, and 160.1). Monitoring and sampling results shall be transmitted to the Central Valley Regional Board electronically (to SSewalia@waterboards.ca.gov) within 5 business days following collection of the samples.

STANDARD PROVISIONS (Attachment D), and

II.A Permit Action. The Limited Threat General Order R5-2008-0082-022 for the MLGS Project may be modified, revoked and reissued, or terminated for (including if the discharge violates the Final Effluent Limitations or if the discharge demonstrates the potential to release of additional pollutants from the Facility into receiving water).

MONITORING AND REPORTING PROGRAM (Attachment E)

- a) The Discharger must notify Central Valley Water Board staff: 1) 24 hours before the start of each new discharge, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases.
- b) The Discharger must also comply with the following sections contained in Attachment E, Monitoring and Reporting Program of the Limited Threat General Order:

- I. General Monitoring Provisions (p.E-2)
- II. Monitoring Locations (p. E-3)
- IV. Effluent Monitoring Requirements
 - A.2. Monitoring Location EFF-001 (p. E-3)

Effluent Monitoring Table

| Parameter | Units | Sample Type | Monitoring Frequency ¹ | Required Analytical Test Method |
|---|----------------|-------------|-----------------------------------|---------------------------------|
| Total Flow | gpd | Estimate | 1/Day | ² |
| Electrical Conductivity @ 25C° | µmhos/cm | Grab | 1/Month | ² |
| pH | standard units | Grab | 1/Day | ² |
| Whole Effluent Toxicity (See Section V) | | | | |
| Hardness, Total (as CaCO ₃) | mg/L | Grab | 1/Month | ² |
| Arsenic, Total Recoverable | µg/L | Grab | 1/Weekly | ² |
| Chromium (VI) | µg/L | Grab | 1/Weekly | ² |
| Bis (2-Ethylhexyl) Phthalate | µg/L | Grab | 1/Weekly | ² |
| Beta-BHC | µg/L | Grab | 1/Weekly | ² |
| Benzo(a)Anthracene | µg/L | Grab | 1/Weekly | ² |
| Benzo(a)Pyrene | µg/L | Grab | 1/Weekly | ² |
| Benzo(k)Fluoranthene | µg/L | Grab | 1/Weekly | ² |
| Chrysene | µg/L | Grab | 1/Weekly | ² |
| Dibenzo(a,h)Anthracene | µg/L | Grab | 1/Weekly | ² |
| 3,3-Dichlorobenzidine | µg/L | Grab | 1/Weekly | ² |
| 2,6-Dinitrotoluene | µg/L | Grab | 1/Weekly | ² |
| Indeno(1,2,3-cd) Pyrene | µg/L | Grab | 1/Weekly | ² |

¹ When discharging to the surface water.

² Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

- V. Whole Effluent Toxicity Testing Requirements (pp. E-7 - E-10), and
- X. Reporting Requirements (pp. E-12 - E-13)

GENERAL INFORMATION AND REQUIREMENTS

The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until the discharge is terminated. To terminate coverage under the Low Threat General Order, the Dischargers must submit written notification to the Central Valley Water Board that the discharge regulated by this Low Threat General Order has ceased and is no longer necessary. If a timely written request is not received, then the Dischargers will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Low Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. Late reports may be subject to an MMP of \$3,000 for each period of 30 days late. When discharges do not occur during a quarterly monitoring period, the Dischargers must still submit a quarterly report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement or permitting aspect of this Limited Threat General Order shall be directed to Duncan Austin of the Central Valley Water Board's Cleanup Section Unit. Mr. Austin can be reached at (916) 464-4712 or daustin@waterboards.ca.gov.

Original Signed By Frederick S. Moss for
Pamela C. Creedon
Executive Officer

Enclosure: General Order R5-2008-0082 (Dischargers only)

cc: Dave Smith, U.S. Environmental Protection Agency, Region IX, San Francisco
Phil Isorena, Division of Water Quality, State Water Board, Sacramento